



A G E N D A
RESCHEDULED REGULAR COUNCIL MEETING
CITY OF GULF SHORES, ALABAMA
JANUARY 17, 2017
4:00 P.M.

1. Call to Order
2. Invocation – Pastor Ray Reynolds, Gulf Shores Church of Christ
3. The Pledge of Allegiance
4. Roll Call
5. Approval of Minutes
 - a. December 12, 2016 – Special Meeting
 - b. December 12, 2016 – Rescheduled Council Work Session / Regular Council Meeting
 - c. January 9, 2017 – Special Meeting
 - c. January 9, 2017 – Council Work Session Meeting
6. Approval of Expense Vouchers
7. Presentation of Petitions, Requests and Communications
 - a. Ordinance – Amend Code of Ordinances – Beach Chair and Umbrella Rentals
 - b. Public Assembly Permit Application – Spikeball Tournament
 - c. Public Assembly Permit Application – Gulf Shores Kiwanis Club Polar Bear Dip 2018
 - d. Public Assembly Permit Application – Harley Sports – Tacky Jacks Bloody Mary 5K Run
 - e. Public Assembly Permit Application – Harley Sports – Zydeco Crawfish Festival 5K
8. Public Hearing
 - a. Resolution – Herndon Oil – Gulf Avenue ROW Vacation
 - b. Resolution – Herndon Oil – Establish Vacation Fee
 - c. Resolution – Herndon Oil – Quitclaim Deed
9. New Business
 - a. Resolution – Board Appointment – Public Park and Recreation Board
 - b. Resolution – Authorize Contract Renewal – Christie Strategy Group
 - c. Resolution – Authorize Contract Renewal – Van Scoyoc Associates, Inc.
 - d. Resolution – Authorize Professional Services Contract - Sasaki
10. Committee Reports
11. Staff Reports
12. Hearing of Persons Not Listed on Formal Agenda
13. Adjourn

**MINUTES OF
RESCHEDULED REGULAR COUNCIL MEETING
CITY OF GULF SHORES, ALABAMA
JANUARY 17, 2017**

Mayor Robert Craft called the meeting to order at 4:00 p.m. at City Hall. The invocation was delivered by Pastor Ray Reynolds, Gulf Shores Church of Christ.

Upon roll call, the following officials answered "present": Councilman Joe Garris, Jr., Councilman Gary M. Sinak, Councilman Philip Harris, Councilman Jason Dyken, M.D., Councilman Stephen E. Jones and Mayor Robert Craft.

Councilman Joe Garris, Jr., then moved to approve the minutes of the Special Meeting of December 12, 2016 as presented; seconded by Councilman Philip Harris; was regularly put; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Joe Garris, Jr., "aye", Councilman Gary M. Sinak, "aye", Councilman Philip Harris, "aye", Councilman Jason Dyken, M.D. , "aye", Councilman Stephen E. Jones, "aye", and Mayor Robert Craft, "aye". Whereupon, Mayor Robert Craft declared the motion carried.

At this time, Councilman Stephen E. Jones moved to approve the minutes of the Rescheduled Council Work Session / Regular Council Meeting of December 12, 2016, as presented; seconded by Councilman Joe Garris, Jr. , was regularly put; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Joe Garris, Jr., "aye", Councilman Gary M. Sinak, "aye", Councilman Philip Harris, "aye", Councilman Jason Dyken, M.D. , "aye", Councilman Stephen E. Jones, "aye", and Mayor Robert Craft, "aye". Whereupon, Mayor Robert Craft declared the motion carried.

Furthermore, Councilman Jason Dyken, M.D. moved to approve the minutes of the Special Meeting of January 9, 2017, as presented; seconded by Councilman Gary M. Sinak; was regularly put; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Joe Garris, Jr., "aye", Councilman Gary M. Sinak "aye", Councilman Philip Harris, "abstain", Councilman Jason Dyken, M.D. , "aye", Councilman Stephen E. Jones, "aye", and Mayor Robert Craft, "aye". Whereupon, Mayor Robert Craft declared the motion carried.

Councilman Philip Harris then moved to approve the minutes of the Council Work Session Meeting of January 9, 2017 as presented; seconded by Councilman Joe Garris, Jr. , was regularly put; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Joe Garris, Jr., "aye", Councilman Gary M. Sinak, "aye", Councilman Philip Harris, "abstain", Councilman Jason Dyken, M.D. , "aye", Councilman Stephen E. Jones, "aye", and Mayor Robert Craft, "aye". Whereupon, Mayor Robert Craft declared the motion carried.

Councilman Stephen E. Jones moved to approve the expense vouchers in the amount of \$2,138,043.15; seconded by Councilman Jason Dyken, M.D.; and the vote of those officials present was unanimously in favor of the motion.

The City Clerk noted that the complete list of vouchers to be paid, as reflected on a computer printout, had been made a permanent record in the Clerk's office.

At this time, Recreation and Cultural Affairs Director, Grant Brown stated the next ordinance for consideration was the final draft of an Ordinance to amend the Code of Ordinances at Chapter 8, BUSINESS LICENSES, TAXES, AND REGULATIONS, ARTICLE I, IN GENERAL, SECTION 8-8 (d) and (e) to further regulate the business of the on-site rental of beach chairs and umbrellas which had been discussed at length at several meetings prior to today's council meeting. He summarized the proposed final ordinance updates following a brief discussion among the Council. Whereupon Councilman Stephen E. Jones moved for unanimous consent of the Council to suspend the rules of procedure to allow for the immediate consideration of the following Ordinance:

ORDINANCE NO. 1830

**AN ORDINANCE TO AMEND THE *CODE OF ORDINANCES*,
ADOPTED JULY 24, 1989, AT CHAPTER 8, BUSINESS LICENSES, TAXES, AND
REGULATIONS, ARTICLE I, IN GENERAL, SECTION 8-8 (d) and (e) TO FURTHER
REGULATE THE BUSINESS OF THE ON-SITE RENTAL OF BEACH CHAIRS AND
UMBRELLAS**

WHEREAS, the City Council of the City of Gulf Shores has heretofore determined that the provision of beachfront and waterfront recreational rides and rentals by businesses within the corporate limits and police jurisdiction of the City is a desirable amenity for the benefit of the residents and visitors to the City and has heretofore adopted ordinances regulating such businesses; and

WHEREAS, the City Council has determined that the business of the on-site rental of beach chairs and umbrellas should be further reasonably regulated and limited in the interests of the environment, the protection of endangered species, public safety, and the common public enjoyment of the beachfront and waterfront within the City and its police jurisdiction,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN RESCHEDULED REGULAR SESSION ON January 17, 2017, as follows:

Section 1. That Section 8-8 (d) and (e) of Article I of Chapter 8, BUSINESS LICENSES, TAXES, AND REGULATIONS, of the *Code of Ordinances*, adopted July 24, 1989, be and it is hereby amended to read in its entirety as follows:

Section. 8-8. - Beachfront and waterfront recreational businesses; businesses engaging in the business of rental of gasoline-powered watersports equipment, engaging in the business of provision of recreational parasail rides, engaging in the business of provision of towed water ride services utilizing water craft or gasoline-powered watersports equipment, or engaging in the business of the on-site rental of beach chairs and umbrellas authorized and regulated.

...

- (d) Businesses engaging in the business of the on-site rental of beach chairs and umbrellas. Any license issued to any person engaged in the business of the on-site rental of beach chairs and umbrellas (hereafter referred to as "Beach Rental Accessories") is expressly conditioned on compliance with all the following requirements:
- (1) The licensee's business shall be operated only at a site properly zoned for such business, owned by, leased in writing to, or licensed in writing to the licensee and specifically designated on the license as issued. An inspection by the finance department or its designee of any proposed site is required before any license may be issued.
 - (2) Each approved site must maintain a minimum landward setback of thirty-five (35) feet from the water's edge and a sufficient minimum north setback to avoid contact with any existing berm or dune. Wooden lounge setups must be spaced so as to leave one (1) aisle not less than ten (10) feet wide for north/south travel at the end of each dune walkover or pathway leading to the water. All lounge setups must remain north of beach attendant stands when present.

- (3) Each Licensee under this Section 8-8(d) shall at all times maintain Commercial General Liability Insurance covering all aspects of the activities hereby licensed, with limits no less than five hundred thousand dollars combined single limit, naming the City of Gulf Shores as an Additional Insured. The licensee shall provide a Certificate of Insurance evidencing the coverage above to the Finance Department before licensed activities begin. Written notice of any significant changes in coverage conditions shall be given immediately to the Finance Department.
- (4) Sunset Provision. Effective with license year 2017, no wooden lounge set may remain on the beach overnight under Section 6-13 of the Code of Ordinances at any site that was not duly licensed for the onsite rental of beach chairs utilizing such wooden lounge chair sets in license year 2016. The City Council has determined that there were 46 such duly licensed sites in the City operated by five identified licensees in license year 2016 that will be identified as “grandfathered sites” and “grandfathered licensees” for purposes of this sunset provision. The City Council has prepared a schedule showing the total number of wooden lounge sets that may remain at each grandfathered site and the aggregate number of wooden lounge sets that may be utilized by each of the five grandfathered licensees at all grandfathered sites in license year 2017 and thereafter based on the total inventory of such wooden lounge sets in use at the grandfathered sites by the grandfathered licensees in License Year 2015. The maximum allowable number of wooden lounge sets that may be located and left overnight at each of the grandfathered sites and the maximum number of such wooden lounge sets that may be utilized by a grandfathered licensee at all of its grandfathered sites through the end of license year 2023 shall be determined and reduced in conformity with the following schedule:

2017 -- 86% of 2015 inventory count

2018 -- 72%

2019 -- 58%

2020 -- 44%

2021 -- 30%

2022 -- 16%

2023 -- 2%

On and after January 1, 2024, no wooden lounge set may remain on the beach overnight at any site under Section 6-13 of the Code of Ordinances.

A grandfathered licensee may allocate its overall allowable number of wooden lounge sets among its then currently licensed grandfathered sites provided no such allocation shall result in an increase in the number of allowed wooden lounge sets at any grandfathered site above the scheduled maximum for license year 2017. If a grandfathered licensee ceases to operate

any grandfathered site for any reason other than a transfer of all of its on-site chair rental business sites to a single successor entity, or transfer of a grandfathered licensed site to any other grandfathered licensee, the site shall no longer be allowed to utilize wooden lounge sets that remain on the beach and the licensee's grandfathered overall allowable inventory of wooden lounge sets that remain will be computed without inclusion of the number of allowable wooden lounge sets that would have been permitted on the site had it remained under the grandfathered licensee's operation.

In the event that a grandfathered licensee transfers all of its on-site chair rental business sites to a single successor entity, the single successor entity shall be recognized as entitled to the same sunset terms and limitations as would otherwise be applicable to the grandfathered licensee.

- (e) Provisions applicable to all beachfront and waterfront recreational businesses. The following provisions are applicable to all businesses licensed under this Section 8-8:
- (1) Maximum site capacity restrictions. In addition to the maximum site capacities specified in subsections (a), (b), and (c) above, two (2) support craft consisting of one (1) additional transport craft and any required chase/rescue craft shall be allowed at any one site. The licensee shall maintain licensee's site in a clean, safe condition at all times.
 - (2) Temporary onsite storage facilities. Temporary onsite storage facilities for the purpose of overnight storage of beach equipment and the daily operation of beach and waterfront recreational businesses under this Section 8-8 are allowed with written City approval. The number of proposed temporary onsite storage facilities and their proposed location on the site shall be indicated by the licensee on its business license application and must be approved by the City annually. Temporary onsite storage facilities are prohibited south of the Lucido and Oliver line as defined on the maps maintained by the city's public works department. The licensee must include written consent from the owner of the site to allow the placement of temporary storage facilities as proposed by the licensee as part of the license application. Each storage facility must be portable, may be no larger than six and a half feet (6½) high, five (5) feet wide and twelve (12) feet long (6½' × 5' × 12'), must be white in color, and must be identified with a suitable marking of distinctive color and size, as approved by the appropriate city official as designated by the mayor, so as to render the item identifiable as licensee's storage facility, may be utilized between the months of March and November only, and must be removed no later than December first of each year. In the event of a storm or other necessity for clearing the beach, all equipment and storage facilities shall be removed to a secure site off the beach within twenty-four (24) hours after notification by the city or within twelve (12) hours after the posting of any tropical storm or hurricane warning by NOAA that includes the location of the licensed site, whichever may be the shorter interval of time. A

licensee, in his/her/its license application and at all reasonable times thereafter, must demonstrate, to the reasonable satisfaction of the city that the licensee has adequate off beach storage capacity and is capable of removing and storing all equipment and facilities at a secure site off the beach within the time frames established by this subsection. A failure at any time to comply with the requirements of this subsection shall be grounds for the immediate closing of licensee's business under subsection (e)(4) below and for subsequent revocation of licensee's business license.

- (3) Indemnification. The licensee shall maintain a copy of its current policy on file with the finance department at all times, and the terms of coverage shall prohibit termination or cancellation without at least thirty (30) days prior written notice to the finance division. Licensee shall indemnify and hold harmless the City of Gulf Shores for any and all claims resulting directly or indirectly from activities related in any way to business engaged in under the authority of this Ordinance.
- (4) Immediate order to close. In addition to authority conferred by otherwise applicable law, the mayor and, in his or her absence, the mayor pro tempore, is hereby authorized to order the closing of any licensee not in compliance with any of the requirements of this Section until the next meeting of the city council if he/she finds that the condition of violation materially compromises the public good or safety and that the licensee or the agent or employee of the licensee in charge of the licensee's rental site is aware of the condition of violation and cannot or will not remedy the violation in the manner and time period necessary to avoid materially compromising the public good or safety.
- (5) Minimum site separation. The minimum separation between any sites licensed or to be licensed for the operation of any beach and waterfront recreation business under subsections (a), (b), or (c), or any or all of such subsections, shall be seven hundred fifty (750) feet measured at the water's edge corners of the sites.
- (6) License not in active use subject to revocation. Any license issued for a site shall be subject to revocation upon a determination by the city council that the licensee is not actively engaging in business activity at the site under the license.
- (7) Required water access. As utilized in this Section 8-8, the term "direct open water access" shall mean direct access to a major water body other than Little Lagoon or the Intracoastal Waterway. Water access to a major water body through a canal, bayou, slough, creek, tributary, or other ancillary water body shall not constitute direct open water access.
- (8) Use of motorized vehicles on beach. The use of motorized vehicles by a licensee on a licensed site is only allowed as otherwise permitted under Section 7-122 of the Code of Ordinances.

Section 2. That this Ordinance shall not be interpreted to repeal any other ordinance of the City of Gulf Shores or any provision of the law of Alabama adopted by operation of Section 1-8 of the City's Code of Ordinances.

Section 3. That the provisions of this Ordinance are severable and a determination of the invalidity of any portion of this Ordinance shall not affect the validity and enforceability of the remainder of the Ordinance.

Section 4. That this Ordinance shall become effective upon its adoption and publication as required by law.

The motion for unanimous consent was seconded by Councilman Joe Garriss, Jr., ; and upon the question, the vote thereon was as follows: Councilman Joe Garriss, Jr., "aye," Councilman Gary M. Sinak, "aye", Councilman Philip Harris, "aye", Councilman Jason Dyken, M.D. , "aye", Councilman Stephen E. Jones, "aye" and Mayor Robert Craft "aye". Mayor Robert Craft then declared the rules suspended.

Councilman Joe Garriss, Jr., then moved for the adoption of Ordinance No. 1830 and to waive the reading of said Ordinance at length. The motion for the adoption of Ordinance No. 1830 was seconded by Councilman Gary M. Sinak; was regularly put; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Joe Garriss, Jr., "aye," Councilman Gary M. Sinak, "aye", Councilman Philip Harris, "aye," Councilman Jason Dyken, M.D. , "aye", Councilman Stephen E. Jones, "aye" and Mayor Robert Craft, "aye." Mayor Robert Craft declared Ordinance No. 1830 duly and legally adopted.

At this time, Director of Recreation and Cultural Affairs, Grant Brown introduced a Public Assembly Permit Application from Brady Paulk to host a Spikeball Tournament on March 25, 2017.

Councilman Philip Harris moved to approve the Assembly Permit Application from Brady Paulk to host a Spikeball Tournament as presented; seconded by Councilman Jason Dyken, M.D. ; and the vote thereon was as follows: Councilman Joe Garriss, Jr., "aye", Councilman Gary M. Sinak, "aye", Councilman Philip Harris, "aye", Councilman Jason Dyken, M.D. , "aye", Councilman Stephen E. Jones, "aye" and Mayor Robert Craft, "aye". Whereupon, Mayor Robert Craft declared the motion carried.

Furthermore, Director of Recreation and Cultural Affairs, Grant Brown introduced a Public Assembly Permit Application from the Gulf Shores Kiwanis Club to host the 2018 Polar Bear Dip to be held on January 1, 2018.

Councilman Jason Dyken, M.D. moved to approve the Assembly Permit Application from the Gulf Shores Kiwanis Club to host the 2018 Polar Bear Dip as presented; seconded by Councilman Stephen E. Jones; and the vote thereon was as follows: Councilman Joe Garriss, Jr., "aye", Councilman Gary M. Sinak, "aye", Councilman Philip Harris, "aye", Councilman Jason Dyken, M.D. , "aye", Councilman Stephen E. Jones, "aye" and Mayor Robert Craft, "aye". Whereupon, Mayor Robert Craft declared the motion carried.

Director of Recreation and Cultural Affairs, Grant Brown introduced a Public Assembly Permit Application from Harley Sports to host the Bloody Mary 5K Charity Run to be held on September 2, 2017.

Councilman Stephen E. Jones moved to approve the Assembly Permit Application from Harley Sports to host the Bloody Mary 5K Charity Run as presented; seconded by Councilman Joe Garriss, Jr. ; and the vote thereon was as follows: Councilman Joe Garriss, Jr., "aye", Councilman Gary M. Sinak,

“aye”, Councilman Philip Harris, “aye”, Councilman Jason Dyken, M.D. , “aye”, Councilman Stephen E. Jones, “aye” and Mayor Robert Craft, “aye”. Whereupon, Mayor Robert Craft declared the motion carried.

Again, Director of Recreation and Cultural Affairs, Grant Brown introduced a Public Assembly Permit Application from Harley Sports to host the Zydeco Crawfish Festival 5K to be held on April 15, 2017.

Councilman Philip Harris moved to approve the Assembly Permit Application from Harley Sports to host the Zydeco Crawfish Festival 5K as presented; seconded by Councilman Gary M. Sinak; and the vote thereon was as follows: Councilman Joe Garris, Jr., “aye”, Councilman Gary M. Sinak, “aye”, Councilman Philip Harris, “aye”, Councilman Jason Dyken, M.D. , “aye”, Councilman Stephen E. Jones, “aye” and Mayor Robert Craft, “aye”. Whereupon, Mayor Robert Craft declared the motion carried.

The Mayor stated that this was the time and place for the public hearing, as advertised, on the proposed Herndon Oil, Gulf Avenue ROW Vacation, Herndon Oil, Establish Vacation Fee, and Herndon Oil, Quitclaim Deed.

The City Clerk stated that this public hearing notice had been advertised as required by law by posting of the public notice and draft Resolutions at the City Hall, Library, Recreation Center, the City’s website and the Baldwin County Courthouse for thirty days.

Insert #1

Andy Bauer, Planning Director, noted the recommendations of his Department and the Planning Commission in support of the resolution.

Insert #2

The City Clerk stated there were no written communications received.

The Mayor asked if there was anyone present who wished to comment on the proposed Gulf Avenue ROW Vacation.

Councilman Stephen E. Jones introduced and moved for the adoption of the following Resolution:

RESOLUTION NO. 5778-17

**A RESOLUTION
CONDITIONALLY ELECTING AND DECLARING THE
VACATION OF A PORTION OF AN UNOPENED GULF AVENUE RIGHT OF WAY**

WHEREAS, pursuant to Act No. 73-386 of the Alabama Legislature and §23-4-1 of the Code of Alabama (1975), that the City Council of the City of Gulf Shores, Alabama (“the City”) proposes to vacate 29,082 square feet of a portion of the unopened Gulf Avenue public right-of-way located between West 19th and West 20th Avenue. A portion of a certain street and public way described as all that part of Block 5, Division 2 of Gulf Pines Unit of Gulf Shores recorded in Map Book 4, Page 71 of Probate Court Records of Baldwin County, Alabama; and

WHEREAS, a public hearing on the proposal to vacate was conducted at the Rescheduled Regular Council Meeting on January 17, 2017, as provided in Section 23-4-2 of the Code of Alabama (1975); and

WHEREAS, the portion of the public street and public way proposed to be vacated is described as follows:

All that part of Block 5, Division 2 of Gulf Pines Unit of Gulf Shores as recorded in Map Book 4, Page 71 Probate Court Records, Baldwin County, Alabama described as follows: Commencing at the northwest intersection of Alabama Highway 59 (Gulf Shores Parkway) and West 19th Avenue, being on the south line of Block 5, Division 2 of Gulf Pines Unit of Gulf Shores; Thence north 89 degrees – 47’ – 19” west along the north line of West 19th Avenue 156.72 feet to the southwest corner of Block 5, and the point of beginning of the property herein described, said point being on the east line of Gulf Avenue (an unopened roadway) and on a curve having a radius of 1828.82 feet; Thence northeastwardly along the arc of said curve to the right 294.34 feet to a point on the south line of West 29th Avenue

(chord bears: north 14 degrees – 53’ – 23” east 294.02); Thence south 89 degrees – 49’ – 17” west 106.61 feet; Thence south 46 degrees – 40’ – 47” west 60.44 feet; thence south 00degrees – 34’ – 19” east 202.63 feet; thence south 44 degrees – 59’ – 19” east a distance of 33.42 feet to the point of beginning.

WHEREAS, the name of the owners of the lots or parcels of land abutting the above-described public streets and ways are The Pantry, Inc. , Herndon Oil Corporation and the City of Gulf Shores.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN RESCHEDULED REGULAR SESSION ON JANUARY 17, 2017, as follows:

SECTION 1. That upon the conditions hereinafter set out the vacation of the portion of the above-described street and public way is in the interest of the public; and

SECTION 2. That the vacation proposed is hereby conditionally elected and declared; and

SECTION 3. That the condition precedent to the effectiveness of this Resolution shall be the payment or other transfer to the City of a vacation of right of way fee pursuant to § 11-49-6 of the Code of Alabama and quitclaim consideration, in such form and amount as the City Council may hereafter determine after a public hearing to be noticed and held as prescribed in § 11-49-6; and

SECTION 4. That this Resolution shall become effective, subject to the conditions set out herein, upon its adoption.

The motion for the adoption of Resolution No. 5778-17 was seconded by Councilman Joe Garris, Jr., ; was regularly put; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Joe Garris, Jr., “aye”, Councilman Gary M. Sinak, “aye”, Councilman Philip Harris “aye”, Councilman Jason Dyken, M.D. , “aye”, Councilman Stephen E. Jones, “aye”, and Mayor Robert Craft, “aye”. Whereupon, Mayor Robert Craft declared Resolution No. 5778-17 duly and legally adopted.

At this time, Councilman Jason Dyken, M.D. introduced and moved for the adoption of the following Resolution:

RESOLUTION NO. 5779-17

**A RESOLUTION
DETERMINING THE FAIR MARKET VALUE OF
THE LAND TO BE ADDED TO THE ABUTTING LAND OWNED BY
THE PANTRY, INC. AND HERNDON OIL CORPORATION BY VACATION OF UNOPENED RIGHT OF WAY
AND
FIXING VACATION OF RIGHT OF WAY FEE
PURSUANT TO ALABAMA CODE § 11-49-6 AND QUITCLAIM CONSIDERATION TO BE PAID TO THE
CITY**

WHEREAS, the City Council of the City of Gulf Shores has caused public notice to be published announcing a public hearing pursuant to Section 11-49-6 of the Code of Alabama (1975) to be held on Tuesday, January 17, 2017 at 4:00 p.m. at a rescheduled regular Council Meeting to determine the fair market value of the land to be added to the abutting land of The Pantry, Inc. and Herndon Oil Corporation by vacation of a portion of Gulf Avenue pursuant to Resolution No. 5778-17 and to determine the vacation of right of way fee under §11-49-6 and quitclaim consideration to be paid; and

WHEREAS, a public hearing on the described determinations was held as noticed; and

WHEREAS, the portion of the public street and public way to be vacated and added to the property of The Pantry, Inc. and Herndon Oil Corporation is described as follows:

All that part of Block 5, Division 2 of Gulf Pines Unit of Gulf Shores as recorded in Map Book 4, Page 71 Probate Court Records, Baldwin County, Alabama described as follows: Commencing at the northwest intersection of Alabama Highway 59 (Gulf Shores Parkway) and West 19th Avenue, being on

the south line of Block 5, Division 2 of Gulf Pines Unit of Gulf Shores; Thence north 89 degrees – 47’ – 19” west along the north line of West 19th Avenue 156.72 feet to the southwest corner of Block 5, and the point of beginning of the property herein described, said point being on the east line of Gulf Avenue (an unopened roadway) and on a curve having a radius of 1828.82 feet; Thence northeastwardly along the arc of said curve to the right 294.34 feet to a point on the south line of West 29th Avenue (chord bears: north 14 degrees – 53’ – 23” east 294.02); Thence south 89 degrees – 49’ – 17” west 106.61 feet; Thence south 46 degrees – 40’ – 47” west 60.44 feet; thence south 00 degrees – 34’ – 19” east 202.63 feet; thence south 44 degrees – 59’ – 19” east a distance of 33.42 feet to the point of beginning in the Probate Records of Baldwin County, Alabama, having a street address of 2021 Gulf Shores Parkway, Gulf Shores, Alabama.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN RESCHEDULED REGULAR SESSION ON JANUARY 17, 2017, as follows:

SECTION 1. That the City Council of the City of Gulf Shores with the consent and agreement of The Pantry, Inc. and Herndon Oil Corporation hereby determines the fair market value of the land to be added to the abutting land of The Pantry, Inc. and Herndon Oil Corporation by vacation and by City quitclaim of a portion of Gulf Avenue pursuant to Resolution No. 5780-17 to be an amount equal to Three Hundred Seventy Four Thousand Five Hundred and Eighty Dollars (\$374,580.00) plus the value of a donation of a designated 530 square feet of land at the corner of West 20th Avenue and Highway 59 for the use of future public right of way and the value of the following conditions binding on The Pantry, Inc. and Herndon Oil Corporation with respect to any site plan submitted by them or their successors or assigns in connection with the development of the abutting land:

- 1) Installation of 8 foot wide sidewalk along Highway 59 and 6 foot wide sidewalks along West 19th Avenue, West 20th Avenue and West 1st Street.
- 2) Incorporation of the existing drainage swale within the unopened Gulf Avenue right-of-way into their site design.
- 3) Incorporation of the right-in/right-out driveway onto Highway 59 and the proposed 3rd southbound lane into the site design.

SECTION 2. That the City Council of the City of Gulf Shores hereby determines the vacation right of way fee and quitclaim consideration to paid and provided by The Pantry, Inc. and Herndon Oil Corporation to be Three Hundred Seventy Four Thousand Five Hundred and Eighty Dollars (\$374,580.00) plus the donation of the designated 530 square feet of land plus the written commitment of The Pantry, Inc. and Herndon Oil Corporation to the site plan requirements set out in Section 1 above in a form and substance satisfactory to the City.

SECTION 3. That this Resolution shall become effective upon its adoption.

The motion for the adoption of Resolution No. 5779-17 was seconded by Councilman Stephen E. Jones; was regularly put; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Joe Garris, Jr., “aye”, Councilman Gary M. Sinak, “aye”, Councilman Philip Harris, “aye”, Councilman Jason Dyken, M.D. , “aye”, Councilman Stephen E. Jones, “aye”, and Mayor Robert Craft, “aye”. Whereupon, Mayor Robert Craft declared Resolution No. 5779-17 duly and legally adopted.

Furthermore, Councilman Jason Dyken, M.D. introduced and moved for the adoption of the following Resolution:

RESOLUTION NO. 5780-17

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST, RESPECTIVELY, QUITCLAIM DEED FOR THE CONVEYANCE OF A CERTAIN VACATED PORTION OF THE UNOPENED GULF AVENUE RIGHT-OF-WAY

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN RESCHEDULED REGULAR SESSION ON JANUARY 17, 2017, as follows:

Section 1. That at such time as the vacation of right of way fee and quitclaim consideration fixed by separate resolution of the Council has been paid, conveyed, and documented to the satisfaction of the Mayor, the Mayor and City Clerk be and they are hereby authorized and directed to execute and attest, respectively, a Quitclaim Deed for the conveyance of a certain portion of the unopened Gulf Avenue right-of-way described as follows, with such quitclaim to be in form and content approved by the City Attorney:

All that part of Block 5, Division 2 of Gulf Pines Unit of Gulf Shores as recorded in Map Book 4, Page 71 Probate Court Records, Baldwin County, Alabama described as follows: Commencing at the northwest intersection of Alabama Highway 59 (Gulf Shores Parkway) and West 19th Avenue, being on the south line of Block 5, Division 2 of Gulf Pines Unit of Gulf Shores; Thence north 89 degrees – 47’ – 19” west along the north line of West 19th Avenue 156.72 feet to the southwest corner of Block 5, and the point of beginning of the property herein described, said point being on the east line of Gulf Avenue (an unopened roadway) and on a curve having a radius of 1828.82 feet; Thence northeastwardly along the arc of said curve to the right 294.34 feet to a point on the south line of West 29th Avenue (chord bears: north 14 degrees – 53’ – 23” east 294.02); Thence south 89 degrees – 49’ – 17” west 106.61 feet; Thence south 46 degrees – 40’ – 47” west 60.44 feet; thence south 00 degrees – 34’ – 19” east 202.63 feet; thence south 44 degrees – 59’ – 19” east a distance of 33.42 feet to the point of beginning in the Probate Records of Baldwin County, Alabama, having a street address of 2021 Gulf Shores Parkway, Gulf Shores, Alabama.

Section 2. That this Resolution shall become effective upon its adoption.

The motion for the adoption of Resolution No. 5780-17 was seconded by Councilman Gary M. Sinak; was regularly put; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Joe Garriss, Jr., “aye”, Councilman Gary M. Sinak, “aye”, Councilman Philip Harris, “aye”, Councilman Jason Dyken, M.D. , “aye”, Councilman Stephen E. Jones, “aye”, and Mayor Robert Craft, “aye”. Whereupon, Mayor Robert Craft declared Resolution No. 5780-17 duly and legally adopted.

Councilman Joe Garriss, Jr., introduced and moved for the adoption of the following Resolution:

RESOLUTION NO. 5781 -17

**A RESOLUTION
APPOINTING DAVID CHAPMAN TO THE
PUBLIC PARK AND RECREATION BOARD**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN RESCHEDULED REGULAR SESSION ON JANUARY 17, 2017, as follows:

Section 1. That David Chapman be and he hereby is appointed to the Public Park and Recreation Board to serve the unexpired term of Wade Ward ending on March 14, 2018.

Section 2. That this Resolution shall become effective upon its adoption.

The motion for the adoption of Resolution No. 5781-17 was seconded by Councilman Gary M. Sinak; was regularly put; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Joe Garriss, Jr., “aye”, Councilman Gary M. Sinak, “aye”,

Councilman Philip Harris, “aye”, Councilman Jason Dyken, M.D. , “aye”, Councilman Stephen E. Jones, “abstain”, and Mayor Robert Craft, “aye”. Whereupon, Mayor Robert Craft declared Resolution No. 5781-17 duly and legally adopted.

At this time, Councilman Gary M. Sinak introduced and moved for the adoption of the following Resolution:

RESOLUTION NO. 5782-17

**A RESOLUTION
AUTHORIZING AND DIRECTING
THE MAYOR AND CITY CLERK
TO EXECUTE AND ATTEST, RESPECTIVELY,
A PROFESSIONAL SERVICES CONTRACT
WITH CHRISTIE STRATEGY GROUP
FOR STATE LEGISLATIVE SERVICES**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN RESCHEDULED REGULAR SESSION ON JANUARY 17, 2017, as follows:

Section 1. That the Mayor and City Clerk be and they are hereby authorized and directed to execute and attest, respectively, a contract for professional services between the City of Gulf Shores and Christie Strategy Group for state legislative services; in substantially the form presented to Council this date.

Section 2. That the funds for payment for such contract be authorized in an amount not to exceed \$10,000.00 per quarter, plus expenses (mileage, meals, lodging, etc).

Section 3. That this Resolution shall become effective upon its adoption.

The motion for the adoption of Resolution No. 5782-17 was seconded by Councilman Jason Dyken, M.D. ; was regularly put; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Joe Garris, Jr., “aye”, Councilman Gary M. Sinak, “aye”, Councilman Philip Harris, “aye”, Councilman Jason Dyken, M.D. , “aye”, Councilman Stephen E. Jones, “aye”, and Mayor Robert Craft, “aye”. Whereupon, Mayor Robert Craft declared Resolution No. 5782-17 duly and legally adopted.

Furthermore, Councilman Jason Dyken, M.D. introduced and moved for the adoption of the following Resolution:

RESOLUTION NO. 5783-17

**A RESOLUTION
AUTHORIZING AND DIRECTING
THE MAYOR AND CITY CLERK
TO EXECUTE AND ATTEST, RESPECTIVELY,
A CONTRACT WITH VAN SCOYOC ASSOCIATES, INC.
FOR FEDERAL LEGISLATIVE SERVICES**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN RESCHEDULED REGULAR SESSION ON JANUARY 17, 2017 as follows:

Section 1. That the Mayor and City Clerk be and they are hereby authorized and directed to execute and attest, respectively, a contract between the City of Gulf Shores and Van Scoyoc Associates, Inc. for federal legislative services; in substantially the form presented to Council this date.

Section 2. That the funds for payment for such contract be authorized in an amount not to exceed \$5,500.00 per month, plus actual and reasonable expenses.

Section 3. That this Resolution shall become effective upon its adoption.

The motion for the adoption of Resolution No. 5783-17 was seconded by Councilman Stephen E. Jones; was regularly put; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Joe Garris, Jr., “aye”, Councilman Gary M. Sinak, “aye”, Councilman Philip Harris, “aye”, Councilman Jason Dyken, M.D. , “aye”, Councilman Stephen E. Jones, “aye”, and Mayor Robert Craft, “aye”. Whereupon, Mayor Robert Craft declared Resolution No. 5783-17 duly and legally adopted.

Councilman Philip Harris introduced and moved for the adoption of the following Resolution:

RESOLUTION NO. 5784-17

**A RESOLUTION
ACCEPTING THE PROPOSAL OF SASAKI TO
CONDUCT A CITY PLANNING STUDY
RELATED TO THE GULF STATE PARK MASTER PLAN
IN AN AMOUNT NOT TO EXCEED \$30,000.00 AND
AS DEFINED IN SCOPE OF WORK**

WHEREAS, in June 2014, the Gulf Shores City Council Adopted the Vision 2025 for Sustainability with the Gulf State Park restoration being one of our five priorities.

WHEREAS, the Master Plans vision of restoring Gulf State Park into a premier vacation / recreation destination may present significant challenges and opportunities for the City.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN RESCHEDULED REGULAR SESSION ON JANUARY 17, 2017, as follows:

Section 1. That the proposal from Sasaki for professional services to conduct a City Planning Study to review transportation, land use and economic issues within the City, be and the same is hereby authorized and accepted; and

Section 2. That the Mayor and City Clerk be and they are hereby authorized and directed to execute and attest, respectively, a professional services contract between the City of Gulf Shores and Sasaki to conduct a City Planning Study to review transportation, land use and economic issues within the City in an amount not to exceed \$30,000.00 as defined in scope of work; and in substantially the form presented to Council this date.

Section 3. That this Resolution shall become effective upon its adoption.

The motion for the adoption of Resolution No. 5784-17 was seconded by Councilman Jason Dyken, M.D. ; was regularly put; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Joe Garris, Jr., “aye”, Councilman Gary M. Sinak, “aye”, Councilman Philip Harris, “aye”, Councilman Jason Dyken, M.D. , “aye”, Councilman Stephen E. Jones, “aye”, and Mayor Robert Craft, “aye”. Whereupon, Mayor Robert Craft declared Resolution No. 5784-17 duly and legally adopted.

COMMITTEE REPORTS:

Councilman Stephen E. Jones announced the E-Cycling event would be held on Saturday, January 21, 2017 at the Gulf State Park Pavilion. Secure document/hard drive destruction would also be provided. The event would be from 8:00 am to 12 Noon.

STAFF REPORT:

Public Works Director, Mark Acreman gave an update on the reconstruction of the bridge at Bayou Village, the Phase II Sidewalk Project and the ALDOT Median Project.

Assistant Public Works Director Noel Hand, gave more detail in regards to the E-Cycling event, further stating in the last three months the city has collected 6300 pounds of cathode ray tubes (CRT's).

Environmental Grants Coordinator Dan Bond gave an update on the Gulf Place Renovation Phase 1A Project.

Recreation and Cultural Affairs Director, Grant Brown invited all to join the Gulf Shores' celebration of the first ever Oyster Shell Recycling Program spearheaded by the Alabama Coastal Foundation. The event is to be held January 26th at the Original Oyster House from 10:30 – 11:00 a.m. The Oyster Shell Recycling Program is made possible through a two year grant from the National Fish and Wildlife Foundation (NFWF). The program will recycle oyster shells from restaurants and get them back into Alabama waters, enhancing habitat, oyster production and improved water quality. The program exemplifies the ACF mission of protecting Alabama's coast through cooperation, education and participation.


Financial and Administrative Services Director, Cindy King introduced the new Purchasing Officer Danon Smith.

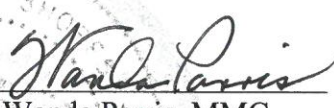
Airport Manager Scott Fuller reported there are certain carriers that require an Aircraft Fire Fighting (ARFF) Truck to be available at the airport. In order to accommodate these needs, the Airport Authority has purchased an Aircraft Fire Fighting (ARFF) Truck and would be donating it to the Gulf Shores Fire Department. This would enable larger passenger jets, those which hold 30 passengers, to utilize the airport.

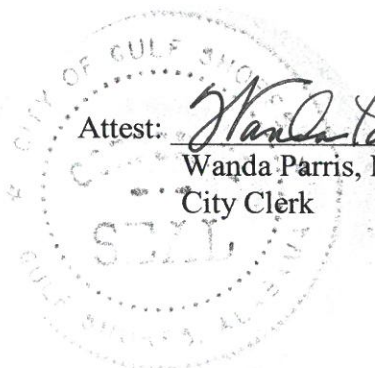
Mayor Robert Craft announced NRDA (National Resource Damage Assessment and Restoration) would be hosting a public input meeting at the Civic Center Wednesday, January 18th regarding the Gulf State Park Lodge and Conference Center and invited all to attend.

There being no further business to come before the Council, Councilman Stephen E. Jones moved to adjourn; seconded by Councilman Gary M. Sinak; and the vote of those officials present was unanimously in favor of the motion.

Mayor Robert Craft declared the meeting adjourned at 4:41 p.m.


Robert Craft
Mayor

Attest: 
Wanda Parris, MMC
City Clerk



City of Gulf Shores
Expense Vouchers
Dec 2, 2016- Jan 6, 2017

Account Summary	Account Number	Account Name	Payment Amount
	01-1417020	Inventory-Automotive Sup	\$ 139.92
	01-1417030	Inventory-Facility R & M Sup	\$ 40.63
	01-1417050	Inventory-Janitorial Sup.	\$ 1,118.17
	01-1417060	Inventory-Office Supplies	\$ 477.70
	01-1417070	Inventory-City Store	\$ 6,912.67
	01-2052010	State CITC Fees Payable	\$ 488.00
	01-2052030	SalesTaxPayabletoSaunders	\$ 3,649.04
	01-2296062	Deposits (Security)-SpecEvents	\$ 2,000.00
	01-2296063	Deposits-MonroeTelecomSvcs	\$ 22,295.45
	01-3130000	Sales Tax	\$ 6,085.09
	01-3132000	Lodging Tax	\$ 1,762.61
	01-3193001	Tax Penalties	\$ 66.95
	01-3221010	Permits - Building	\$ (37.52)
	01-3221020	Permits - Electrical	\$ 275.00
	01-3221080	Permits - Mechanical	\$ 175.00
	01-3475520	Civic Center	\$ (10.00)
	01-3478200	Bodenhamer - Swimming Pool	\$ 25.00
	01-3478800	Bodenhamer - Recreational Progrms	\$ 60.00
	01-3479000	Bodenhamer-MembershipFees	\$ 150.00
	01-3479100	Community House	\$ (50.00)
	01-501-63110	Election Expense	\$ 1,242.86
	01-501-63260	Registration Fees/Tuition	\$ 520.00
	01-501-63311	Professional Services	\$ 5,504.70
	01-501-63340	Legal Fees	\$ 21,703.50
	01-501-64110	Water/Sewer	\$ 313.05
	01-501-64332	Contract/Consulting Services	\$ 85.50
	01-501-64421	Equipment Rental	\$ 981.42
	01-501-65310	Telephone	\$ 1,107.62
	01-501-65810	Meals/Lodging/Travel	\$ 1,478.39
	01-501-66112	Computer	\$ 25.99
	01-501-66150	Supplies - Office	\$ 870.52
	01-501-66165	Postage & Freight	\$ 26.46
	01-501-66170	Furn.Equip.Fixt.SmTools<\$5000	\$ 87.99
	01-501-66210	Natural Gas	\$ 21.73
	01-501-66220	Electricity	\$ 427.80
	01-501-66410	Books/Subscriptions	\$ 120.78
	01-501-68110	Miscellaneous	\$ 584.52
	01-508-52081	Recruiting	\$ 299.50
	01-508-63260	Registration Fees/Tuition	\$ 195.00
	01-508-64110	Water/Sewer	\$ 69.84
	01-508-64211	Refuse Collection	\$ 115.92
	01-508-64332	Contract/Consulting Services	\$ 2,700.00
	01-508-65310	Telephone	\$ 382.36
	01-508-65810	Meals/Lodging/Travel	\$ 10.00
	01-508-66220	Electricity	\$ 97.00
	01-508-66410	Books/Subscriptions	\$ 31.75
	01-508-68110	Miscellaneous	\$ 48.30
	01-508-68500	Building Rental	\$ 7,074.00
	01-519-63260	Registration Fees/Tuition	\$ 6,250.50

01-519-63311	Professional Services	\$ 208.00
01-519-64110	Water/Sewer	\$ 60.33
01-519-64211	Refuse Collection	\$ 78.72
01-519-64310	Maintenance - Software	\$ 12,845.14
01-519-64332	Contract/Consulting Services	\$ 225.00
01-519-64421	Equipment Rental	\$ 3,243.39
01-519-65250	Insurance	\$ 22,312.00
01-519-65310	Telephone	\$ 1,560.70
01-519-65311	Internet Service	\$ 2,503.50
01-519-65810	Meals/Lodging/Travel	\$ 689.15
01-519-66112	Computer	\$ 696.47
01-519-66113	Software (City-Wide)	\$ 59.00
01-519-66114	Network Software	\$ 4,062.35
01-519-66115	GIS	\$ 200.00
01-519-66116	Web	\$ 59.95
01-519-66150	Supplies - Office	\$ 14,734.85
01-519-66165	Postage & Freight	\$ 66.65
01-519-66170	Furn.Equip.Fixt.SmTools<\$5000	\$ 89.98
01-519-66211	Natural Gas (Emerg Generator)	\$ 18.66
01-519-66220	Electricity	\$ 765.00
01-519-66260	Fuel, Oil & Lubricants	\$ 49.95
01-519-66410	Books/Subscriptions	\$ 442.60
01-519-68110	Miscellaneous	\$ 102.95
01-519-68650	IT Hardware	\$ 1.25
01-520-64110	Water/Sewer	\$ 25.40
01-520-64421	Equipment Rental	\$ 238.28
01-520-65310	Telephone	\$ 73.36
01-520-66150	Supplies - Office	\$ 80.85
01-520-66220	Electricity	\$ 395.30
01-520-66410	Books/Subscriptions	\$ 197.74
01-530-63260	Registration Fees/Tuition	\$ 2,870.50
01-530-64110	Water/Sewer	\$ 288.80
01-530-64211	Refuse Collection	\$ 112.50
01-530-64324	R & M - Equipment	\$ 768.86
01-530-64383	R & M - Vehicle	\$ 5,191.14
01-530-64421	Equipment Rental	\$ 583.18
01-530-65310	Telephone	\$ 5,637.46
01-530-65810	Meals/Lodging/Travel	\$ 1,923.22
01-530-66102	Animal Control	\$ 150.00
01-530-66150	Supplies - Office	\$ 362.80
01-530-66155	Supplies - Operating	\$ 4,963.29
01-530-66165	Postage & Freight	\$ 9.60
01-530-66170	Furn.Equip.Fixt.SmTools<\$5000	\$ 24,603.84
01-530-66195	Uniform Rental/Purchases	\$ 6,883.21
01-530-66210	Natural Gas	\$ 179.74
01-530-66220	Electricity	\$ 2,206.58
01-530-66260	Fuel, Oil & Lubricants	\$ 9,191.57
01-530-66410	Books/Subscriptions	\$ 391.92
01-530-68110	Miscellaneous	\$ 1,783.40
01-530-80504	Vehicles	\$ 5,583.36
01-535-63260	Registration Fees/Tuition	\$ 35.00
01-535-64110	Water/Sewer	\$ 259.66
01-535-64211	Refuse Collection	\$ 842.55
01-535-64324	R & M - Equipment	\$ 2,712.85
01-535-64332	Contract/Consulting Services	\$ 7,956.00

01-535-64383	R & M - Vehicle	10,963.71	\$
01-535-64421	Equipment Rental	272.37	\$
01-535-64422	Fire Hydrant Rentals	4,910.00	\$
01-535-65310	Telephone	2,607.20	\$
01-535-65460	Public Relations/Advertising	174.00	\$
01-535-65810	Meals/Lodging/Travel	504.40	\$
01-535-66109	Code Enforcement	29.95	\$
01-535-66120	EMS Supplies	2,800.01	\$
01-535-66150	Supplies - Office	403.25	\$
01-535-66155	Supplies - Operating	9,987.12	\$
01-535-66170	Furn, Equip, Fixt, SmTools<\$5000	98.00	\$
01-535-66185	Supplies - Training	6,796.23	\$
01-535-66195	Uniform Rental/Purchases	864.74	\$
01-535-66210	Natural Gas	111.82	\$
01-535-66220	Electricity	2,164.06	\$
01-535-68110	Fuel, Oil & Lubricants	2,116.24	\$
01-535-68260	Miscellaneous	1,907.29	\$
01-540-63260	Registration Fees/Tuition	30.00	\$
01-540-63320	Engineering/Consulting/Services	3,207.75	\$
01-540-64110	Water/Sewer	12.70	\$
01-540-64324	R & M - Equipment	92.76	\$
01-540-64421	Equipment Rental	1,049.99	\$
01-540-65310	Telephone	506.24	\$
01-540-65410	Legal Notices/Publications	34.32	\$
01-540-66150	Supplies - Office	212.61	\$
01-540-66210	Natural Gas	10.10	\$
01-540-66220	Electricity	177.80	\$
01-540-66260	Fuel, Oil & Lubricants	133.86	\$
01-540-68110	Miscellaneous	303.12	\$
01-541-64110	Water/Sewer	12.70	\$
01-541-65310	Telephone	114.70	\$
01-541-65810	Meals/Lodging/Travel	42.49	\$
01-541-66172	ACAMP Expenditures<\$5,000	1,805.16	\$
01-541-66210	Natural Gas	10.10	\$
01-541-66220	Electricity	177.80	\$
01-541-66260	Fuel, Oil & Lubricants	449.47	\$
01-541-68110	Miscellaneous	171.47	\$
01-550-63260	Registration Fees/Tuition	30.00	\$
01-550-64110	Water/Sewer	9.53	\$
01-550-64324	R & M - Equipment	17.97	\$
01-550-65310	Telephone	431.05	\$
01-550-65810	Meals/Lodging/Travel	56.94	\$
01-550-66260	Fuel, Oil & Lubricants	91.05	\$
01-551-64110	Water/Sewer	197.06	\$
01-551-64211	Refuse Collection	622.46	\$
01-551-64332	Contract/Consulting Services	1,600.00	\$
01-551-64363	R & M - Property&Facility	904.93	\$
01-551-65310	Telephone	885.95	\$
01-551-65460	Public Relations/Advertising	133.13	\$
01-551-65570	Printing	1,030.00	\$
01-551-65710	Programs/Special Events	14,934.99	\$
01-551-65716	Entertainment Series	1,445.70	\$
01-551-65810	Meals/Lodging/Travel	39.40	\$
01-551-66117	Supplies - Custodial	65.00	\$
01-551-66150	Supplies - Office	351.77	\$
01-551-66165	Postage & Freight	1,166.88	\$
01-551-66170	Furn, Equip, Fixt, SmTools<\$5000	4,345.48	\$
01-551-66195	Uniform Rental/Purchases	590.50	\$
01-551-66210	Natural Gas	439.16	\$
01-551-66220	Electricity	3,516.00	\$
01-551-68110	Miscellaneous	-	\$
01-552-63260	Registration Fees/Tuition	430.00	\$
01-552-64110	Water/Sewer	150.64	\$
01-552-64211	Refuse Collection	182.64	\$
01-552-64324	R & M - Equipment	113.74	\$
01-552-64421	Equipment Rental	854.88	\$
01-552-65310	Telephone	200.06	\$
01-552-65710	Programs/Special Events	644.66	\$
01-552-65711	Museum Programs/Special Events	144.90	\$
01-552-66150	Supplies - Office	257.67	\$
01-552-66220	Electricity	993.00	\$
01-552-68411	Books, Periodicals & Other Mats	6,874.98	\$
01-552-68110	Miscellaneous	104.50	\$
01-553-51068	Contract Labor	15,450.00	\$
01-553-63260	Registration Fees/Tuition	740.31	\$
01-553-64110	Water/Sewer	2,015.95	\$
01-553-64211	Refuse Collection	449.96	\$
01-553-64324	R & M - Equipment	1,127.96	\$
01-553-64332	Contract/Consulting Services	3,459.00	\$
01-553-64383	R & M - Vehicle	2,069.62	\$
01-553-64421	Equipment Rental	1,045.07	\$
01-553-65310	Telephone	669.05	\$
01-553-65710	Programs/Special Events	2,142.71	\$
01-553-65715	Programs - Sports	9,585.69	\$
01-553-66121	Pool Supplies	2,253.49	\$
01-553-66125	Tennis Supplies	673.07	\$
01-553-66130	Fitness Supplies	928.02	\$
01-553-66150	Supplies - Office	2,666.17	\$
01-553-66155	Supplies - Operating	922.01	\$
01-553-66170	Furn, Equip, Fixt, SmTools<\$5000	503.14	\$
01-553-66180	Tournaments	215.46	\$
01-553-66195	Uniform Rental/Purchases	432.10	\$
01-553-66210	Natural Gas	2,556.98	\$
01-553-66220	Electricity	15,398.08	\$
01-553-66260	Fuel, Oil & Lubricants	241.39	\$
01-553-68110	Miscellaneous	24.16	\$
01-553-80874	Improvements	478.00	\$
01-554-51068	Contract Labor	4,269.18	\$
01-554-63260	Registration Fees/Tuition	40.00	\$
01-554-64110	Water/Sewer	449.16	\$
01-554-64211	Refuse Collection	300.00	\$
01-554-64324	R & M - Equipment	6,090.10	\$
01-554-64325	R & M Irrigation	2,165.81	\$
01-554-65310	Telephone	433.68	\$
01-554-66155	Supplies - Operating	31.25	\$
01-554-66157	Supplies - Turf	1,800.00	\$
01-554-66170	Furn, Equip, Fixt, SmTools<\$5000	337.23	\$
01-554-66210	Natural Gas	10.40	\$
01-554-66220	Electricity	6,459.76	\$
01-554-66260	Fuel, Oil & Lubricants	894.68	\$

01-555-64110	Water/Sewer	3,493.97	\$		01-560-65310	Telephone	916.94	\$
01-555-64325	R & M Irrigation	114.04	\$		01-560-65810	Meals/Lodging/Travel	65.00	\$
01-555-64326	R & M- Tennis Courts	322.81	\$		01-560-66150	Supplies - Office	287.67	\$
01-555-66155	Supplies - Operating	2,268.80	\$		01-560-66195	Uniform Rental/Purchases	80.00	\$
01-555-66220	Electricity	3,955.39	\$		01-560-66220	Electricity	811.86	\$
01-555-66260	Fuel, Oil & Lubricants	385.04	\$		01-560-66260	Fuel, Oil & Lubricants	526.63	\$
01-556-63260	Registration Fees/Tuition	325.00	\$		01-560-68110	Miscellaneous	55.00	\$
01-556-64110	Water/Sewer	3,092.78	\$		01-561-51068	Contract Labor	4,318.11	\$
01-556-64324	R & M - Equipment	420.15	\$		01-561-64211	Refuse Collection	187.48	\$
01-556-64331	Contract/Services-BeachParking	325.00	\$		01-561-64332	Contract/Consulting Services	5,900.00	\$
01-556-65310	Telephone	198.17	\$		01-561-64421	Equipment Rental	150.00	\$
01-556-65810	Meals/Lodging/Travel	531.45	\$		01-561-65310	Telephone	118.15	\$
01-556-66110	Supplies - Beach	169.27	\$		01-561-66117	Supplies - Custodial	2,405.40	\$
01-556-66112	Computer	29.00	\$		01-561-66150	Supplies - Office	70.74	\$
01-556-66155	Supplies - Operating	283.63	\$		01-561-66195	Uniform Rental/Purchases	44.35	\$
01-556-66170	Furn,Equip,Fixt,SmTools-\$5000	769.23	\$		01-561-66260	Fuel, Oil & Lubricants	597.52	\$
01-556-66195	Uniform Rental/Purchases	162.23	\$		01-561-68110	Miscellaneous	1.25	\$
01-556-66220	Electricity	2,197.34	\$		01-562-51068	Contract Labor	7,679.09	\$
01-556-66260	Fuel, Oil & Lubricants	254.88	\$		01-562-64110	Water/Sewer	4,987.21	\$
01-556-68110	Miscellaneous	242.70	\$		01-562-64211	Refuse Collection	341.48	\$
01-557-63260	Registration Fees/Tuition	10.60	\$		01-562-64421	Equipment Rental	169.21	\$
01-557-64110	Water/Sewer	154.27	\$		01-562-65310	Telephone	132.82	\$
01-557-64211	Refuse Collection	345.00	\$		01-562-66140	Supplies - Landscape	4,798.97	\$
01-557-64324	R & M Equipment	250.00	\$		01-562-66142	Supplies-Tree Maintenance	1,211.65	\$
01-557-64363	R&M Property & Facility	1,925.00	\$		01-562-66150	Supplies - Office	73.29	\$
01-557-64421	Equipment Rental	481.98	\$		01-562-66170	Furn,Equip,Fixt,SmTools-\$5000	9.33	\$
01-557-65310	Telephone	556.24	\$		01-562-66195	Uniform Rental/Purchases	45.60	\$
01-557-65460	Public Relations/Advertising	495.53	\$		01-562-66220	Electricity	28.00	\$
01-557-65570	Printing	400.49	\$		01-562-66260	Fuel, Oil & Lubricants	1,083.39	\$
01-557-65705	Senior Programs	871.09	\$		01-562-68110	Miscellaneous	120.00	\$
01-557-65710	Programs	3,686.02	\$		01-563-51068	Contract Labor	5,933.69	\$
01-557-65810	Meals/Lodging/Travel	401.95	\$		01-563-63260	Registration Fees/Tuition	42.00	\$
01-557-66112	Computer	129.99	\$		01-563-64110	Water/Sewer	199.80	\$
01-557-66117	Supplies-Custodial	264.87	\$		01-563-64211	Refuse Collection	9,385.48	\$
01-557-66150	Supplies-Office	44.48	\$		01-563-64375	R & M - Streets/Drainage/Sidewalks	2,929.47	\$
01-557-66170	Furn,Equip,Fixt,SmTools-\$5000	2,277.46	\$		01-563-64378	R & M-Street Lights	28,198.84	\$
01-557-66195	Uniform Rental/Purchases	80.00	\$		01-563-64421	Equipment Rental	2,344.10	\$
01-557-66210	Natural Gas	25.77	\$		01-563-65310	Telephone	581.41	\$
01-557-66220	Electricity	4,557.66	\$		01-563-66150	Supplies - Office	90.23	\$
01-557-66410	Books/Subscriptions	7.99	\$		01-563-66170	Furn,Equip,Fixt,SmTools-\$5000	161.90	\$
01-557-68110	Miscellaneous	200.55	\$		01-563-66195	Uniform Rental/Purchases	96.40	\$
01-558-64110	Water/Sewer	171.26	\$		01-563-66220	Electricity	4,148.35	\$
01-558-65460	Public Relations/Advertising	399.00	\$		01-563-66260	Fuel, Oil & Lubricants	4,462.83	\$
01-558-66150	Supplies - Office	163.80	\$		01-563-66510	Traffic Signs/Markers	60.75	\$
01-558-66165	Postage & Freight	264.57	\$		01-563-68110	Miscellaneous	311.67	\$
01-558-66170	Furn,Equip,Fixt,SmTools-\$5000	208.94	\$		01-563-80690	Street Resurfacing	262,554.83	\$
01-558-66195	Uniform Rental/Purchases	126.67	\$		01-564-63260	Registration Fees/Tuition	30.00	\$
01-558-68220	Electricity	381.00	\$		01-564-64211	Refuse Collection	186.50	\$
01-558-68410	Books/Subscriptions	234.00	\$		01-564-64324	R & M - Equipment	9,462.65	\$
01-560-63260	Registration Fees/Tuition	380.00	\$		01-564-64363	R & M - Property&Facility	14,479.96	\$
01-560-63320	Engineering/ConsultingServices	4,174.09	\$		01-564-64378	R & M-Street/TrafficLight	930.70	\$
01-560-64110	Water/Sewer	12.70	\$		01-564-64383	R & M - Vehicle	9,130.20	\$
01-560-64211	Refuse Collection	22.50	\$		01-564-65310	Telephone	702.03	\$
01-560-64324	R & M - Equipment	42.00	\$		01-564-66150	Supplies - Office	89.10	\$
01-560-64421	Equipment Rental	350.25	\$		01-564-66155	Supplies - Operating	578.94	\$

01-560-65310	Telephone	916.94	\$
01-560-65810	Meals/Lodging/Travel	65.00	\$
01-560-66150	Supplies - Office	287.67	\$
01-560-66195	Uniform Rental/Purchases	80.00	\$
01-560-66220	Electricity	811.86	\$
01-560-66260	Fuel, Oil & Lubricants	526.63	\$
01-560-68110	Miscellaneous	55.00	\$
01-561-51068	Contract Labor	4,318.11	\$
01-561-64211	Refuse Collection	187.48	\$
01-561-64332	Contract/Consulting Services	5,900.00	\$
01-561-64421	Equipment Rental	150.00	\$
01-561-65310	Telephone	118.15	\$
01-561-66117	Supplies - Custodial	2,405.40	\$
01-561-66150	Supplies - Office	70.74	\$
01-561-66195	Uniform Rental/Purchases	44.35	\$
01-561-66260	Fuel, Oil & Lubricants	597.52	\$
01-561-68110	Miscellaneous	1.25	\$
01-562-51068	Contract Labor	7,679.09	\$
01-562-64110	Water/Sewer	4,987.21	\$
01-562-64211	Refuse Collection	341.48	\$
01-562-64421	Equipment Rental	169.21	\$
01-562-65310	Telephone	132.82	\$
01-562-66140	Supplies - Landscape	4,798.97	\$
01-562-66142	Supplies-Tree Maintenance	1,211.65	\$
01-562-66150	Supplies - Office	73.29	\$
01-562-66170	Furn,Equip,Fixt,SmTools-\$5000	9.33	\$
01-562-66195	Uniform Rental/Purchases	45.60	\$
01-562-66220	Electricity	28.00	\$
01-562-66260	Fuel, Oil & Lubricants	1,083.39	\$
01-562-68110	Miscellaneous	120.00	\$
01-563-51068	Contract Labor	5,933.69	\$
01-563-63260	Registration Fees/Tuition	42.00	\$
01-563-64110	Water/Sewer	199.80	\$
01-563-64211	Refuse Collection	9,385.48	\$
01-563-64375	R & M - Streets/Drainage/Sidewalks	2,929.47	\$
01-563-64378	R & M-Street Lights	28,198.84	\$
01-563-64421	Equipment Rental	2,344.10	\$
01-563-65310	Telephone	581.41	\$
01-563-66150	Supplies - Office	90.23	\$
01-563-66170	Furn,Equip,Fixt,SmTools-\$5000	161.90	\$
01-563-66195	Uniform Rental/Purchases	96.40	\$
01-563-66220	Electricity	4,148.35	\$
01-563-66260	Fuel, Oil & Lubricants	4,462.83	\$
01-563-66510	Traffic Signs/Markers	60.75	\$
01-563-68110	Miscellaneous	311.67	\$
01-563-80690	Street Resurfacing	262,554.83	\$
01-564-63260	Registration Fees/Tuition	30.00	\$
01-564-64211	Refuse Collection	186.50	\$
01-564-64324	R & M - Equipment	9,462.65	\$
01-564-64363	R & M - Property&Facility	14,479.96	\$
01-564-64378	R & M-Street/TrafficLight	930.70	\$
01-564-64383	R & M - Vehicle	9,130.20	\$
01-564-65310	Telephone	702.03	\$
01-564-66150	Supplies - Office	89.10	\$
01-564-66155	Supplies - Operating	578.94	\$

01-564-66170	Furn.Equip.Fixt.SmTools<\$5000	\$	1,863.06
01-564-66195	Uniform Rental/Purchases	\$	46.95
01-564-66260	Fuel, Oil & Lubricants	\$	1,976.13
01-564-68110	Miscellaneous	\$	597.54
01-564-80810	Furniture & Equipment	\$	101.94
01-991-94104	Transfer to Debt Service Fund	\$	30,838.69
11-579-68135	Misc Expense - MunClJudicial/AdmFund	\$	10,581.25
37-3419500	Recycling Revenue	\$	964.00
37-530-66170	Furn.Equip.Fixt.SmTools<\$5000	\$	3,675.01
37-563-51068	Contract Labor	\$	8,755.36
37-563-64110	Water/Sewer	\$	25.40
37-563-64211	Refuse Collection	\$	837.93
37-563-66170	Furn.Equip.Fixt.SmTools<\$5000	\$	482.07
37-563-66220	Electricity	\$	533.00
40-553-80874	Bodenhamer Improvements	\$	144,027.61
40-562-80740	Landscaping	\$	34,034.72
40-879-64599	Grant-ADECA-LWCF Little Lagoon	\$	9,755.00
40-879-65400	ALDOT-Sidewalks 8 Feet Wide TAPNU-TA13(923)	\$	138,657.90
40-879-65455	ALDOT/100% NEPA Funds Project	\$	17,261.75
40-879-65530	Hwy 182 Improvements	\$	27,650.00
40-879-80911	Land	\$	19,838.45
42-501-64332	Contract/Consulting Services	\$	45,203.00
42-501-80874	Improvements-Gulf Place Redesign	\$	764,660.77
	TOTAL	\$	2,138,043.15

	City of Gulf Shores		
	Inter-City Transfers		
	Dec 2, 2016-Jan 6, 2017		
01-991-61014	TferToSpRevFund-LodgTax2%Bch	\$	183,664.45
01-991-93906	TransferToStormDamageFund	\$	23,078.28
11-579-68135	Court -Transfer to Gen Fund	\$	7,200.00
11-991-90150	Tfer to Gen Fnd-AL Gas Tx	\$	54,000.00
11-991-90155	Tfer to Gen Fnd-St Cap Impvts	\$	80,000.00
39-2090130	IF/P-GenFund-BP Oil Spill	\$	23,078.28
42-501-90874	Improvements-Gulf Place Redesign	\$	14,400.00
	TOTAL	\$	385,421.01



TO: Mayor Craft & Members of the City Council

FROM: Andy Bauer, Director of Planning & Zoning

SUBJECT: Unopened Gulf Avenue Right-of-Way Vacation

DATE: October 17, 2016

ISSUE: Vacation and conveyance of a portion of the unopened Gulf Avenue for the future construction of a Circle K.

RECOMMENDATION: If the City Council deems the total consideration of \$374,580 and the donation of 530 square feet of land adequate consideration for the vacation and quitclaim conveyance of 29,082 square feet of the unopened Gulf Avenue right-of-way, then staff recommends approval.

BACKGROUND: Circle K Stores Inc. requests the vacation, in accordance with Ala. Code § 23-4-1, and the quitclaim conveyance by the City of 29,082 square feet of a portion of the unopened Gulf Avenue public right-of-way located between West 19th and West 20th Avenue. Circle K Stores Inc. proposes to provide a total consideration, including a fair market value vacation of right-of-way fee under Ala. Code § 11-49-6, in the amount of \$374,580.00 together with a donation 530 square feet of land at the corner of West 20th Avenue and Highway 59 for the use of future right-of-way. The \$374,580 is based on the Baldwin County Revenue Commissioner's most recent appraisal of the adjacent land at \$12.88 per square foot. The maximum vacation of right of way fee that could be required with respect to the portion of the vacated right of way that would inure to Circle K as an abutting property owner is capped by statute at that value. While not subject to the statutory cap, the same value is proposed to be applied in computing the compensation to be paid for the quitclaim conveyance of the portion of the right of way that would inure to the City based on its abutting ownership of West 1st Street. The donation of 530 square feet for the use of right-of-way is needed for the possible addition of a 3rd southbound lane to Highway 59. Staff has confirmed no other land for additional right-of-way is needed for this project. There are three (3) steps to this vacation process:

1. After 30 days public notice and a public hearing, by resolution the City Council would agree to vacate the public rights in a portion of Gulf Avenue in accordance with Ala. Code § 23-4-1. Upon vacation the right-of-way title passes to the two directly abutting property owners, Circle K and the City of Gulf Shores. (As noted above, West 1st Street is located directly west of Gulf Avenue and is owned by the City; therefore half of the vacated right-of-way passes to the City.)
2. By separate resolution after public notice and a public hearing the City would establish a vacation fee in accordance with Ala. Code §11-49-6 for the half of the vacated right-of-way which is to pass to Circle K.
3. By another resolution the City Council would approve a separate contract providing for the quitclaim conveyance of the City's portion of the vacated Gulf Avenue to Circle K, the conveyance by Circle K of the 530 square feet to the City, and a requirement that the Circle K site plan be designed to the satisfaction of the City to incorporate the drainage

characteristics of the existing swale within Gulf Avenue so proper drainage of the area is continued.

The site plan indicates Circle K will build a 4,920 square foot building with a 12 pump gas canopy. The site plan shows the required 8 foot wide sidewalk along Highway 59 and 6 foot wide sidewalks along West 19th Avenue, West 20th Avenue, and West 1st Street. There is an existing drainage swale within the unopened Gulf Avenue right-of-way. Circle K will need to incorporate the drainage characteristics of the swale into their site design so proper drainage of the area is continued. Circle K will also have to incorporate the right-in/right-out driveway onto Highway 59 and the proposed 3rd southbound lane into the site plan.

PREVIOUS COUNCIL ACTION: This application was heard at the July 5, 2016 City Council Committee of the Whole meeting but was postponed due to issues with an ALDOT turnout permit onto Highway 59.

ATTACHMENTS: Circle K Right-of-Way Vacation Request, Boundary Survey of the Right-of-way, Aerial of the proposed Vacation, and Conceptual Site Plan



June 16th, 2016

Andy Bauer, AICP
Director of Planning and Zoning
P.O. Box 299
205 Clubhouse Drive Suite B
Gulf Shores, Alabama 36542

Re: Vacation of Right-of-Way, Alabama Code 11-49-6, Westerly portion of City Property located near 2021 Gulf Shores Parkway.

Dear Mr. Bauer,

This letter is being generated to satisfy the requirement dictated in Alabama Code 11-49-6 for Vacation of Right-of-Way Fee. Circle K Stores, Inc. petitions the City of Gulf Shores to vacate 29,082 Square Feet of the Gulf Avenue right-of-way for a proposed fee of \$12.88/per foot or \$374,580.00 (Three Hundred Seventy Four Thousand Five Hundred Eighty) Dollars. This fee is based upon the most recent appraisal of the adjacent properties as determined by the Baldwin County Revenue Commission.

We would like to thank you for the opportunity and hope to hear from you soon. If you have any questions or concerns, please feel free to contact me directly.

Respectfully,

Chris Moates
Real Estate Development Manager
Circle K Stores, Inc. | Gulf Coast Business Unit
205.999.1955 m
Cmoates@circlek.com

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 **CONCEPTUAL SITE PLAN**
SCALE: 1"=30'-0"



PARCELS:
EXISTING PARCELS
PARCEL #1: 26,958 751 SF / 43.580 SF = .819 ACRES
PARCEL #2: 15,238 304 SF / 43.580 SF = .350 ACRES
NEW PARCEL
PARCEL #3: 126 082 SF / 43.580 SF = .668 ACRES
TOTAL = ±1.637 ACRES

PARKING:
12000 SF / 4.820200 = 25 SPACES REQUIRED (RFX18)
26 TOTAL SPACES PROVIDED INCLUDING 1 HC SPACE



CIRCLE K STORES, INC.
GULF COAST BUSINESS UNIT
2001 GULF SHORES PARKWAY, STE. W
PENSACOLA, FL 33502

APPROVED BY

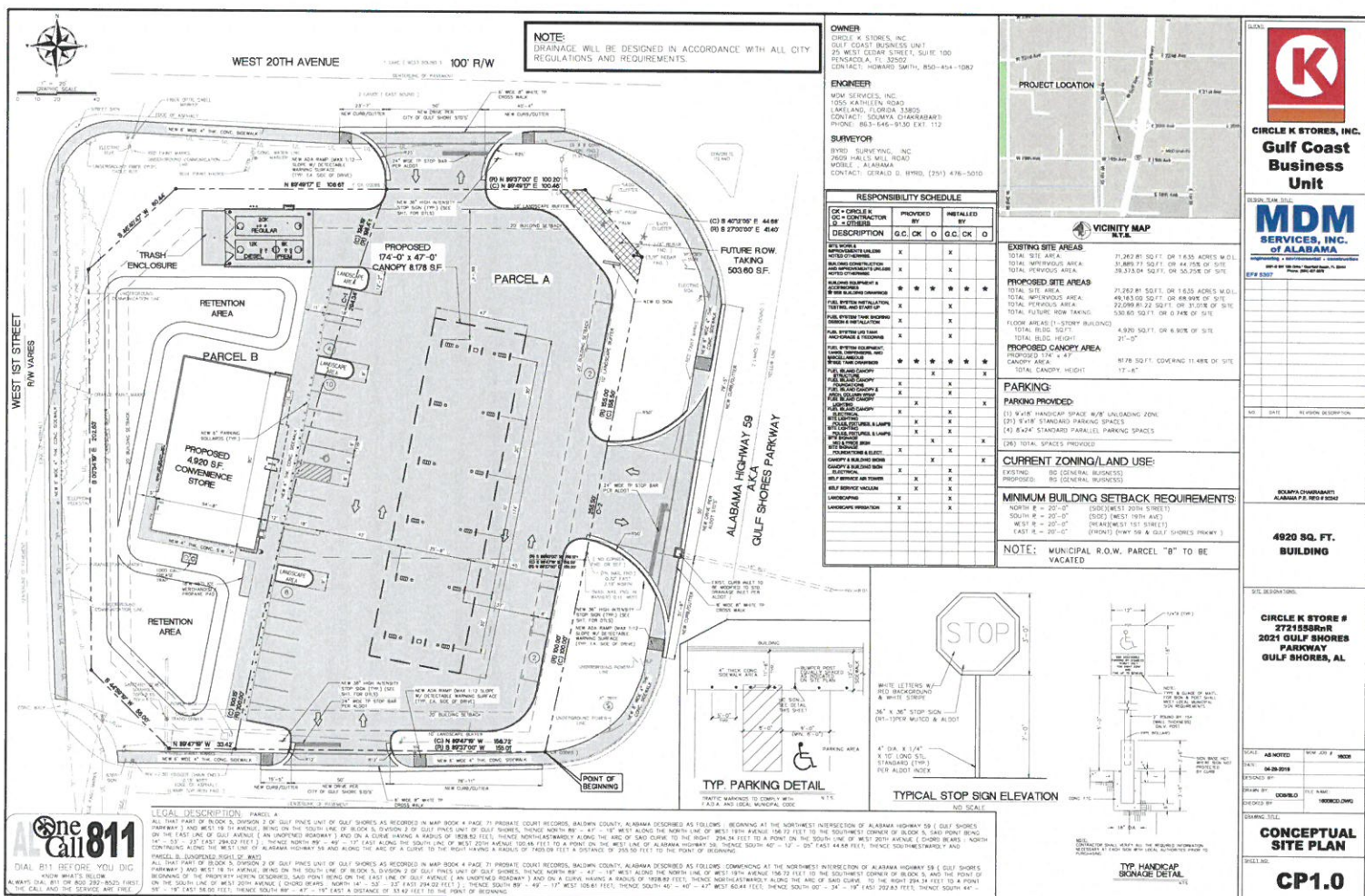
DATE

PROJECT NUMBER
#2721558 RHR
DATE
DECEMBER 11, 2015
DR: RHR
PB

PROJECT NAME
CIRCLE K - #2721558 RHR
PROJECT LOCATION
2001 GULF SHORES PARKWAY - GULF SHORES, AL
SHEET NAME
CONCEPTUAL SITE PLAN

SHEET NO

CK-1



NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held on Monday, November 28, 2016, at the regular City Council meeting, which begins at 4:00 p.m., in the Council Chambers of the Gulf Shores City Hall, to consider the proposed vacation of public streets and determination of statutory vacation of right-of-way fee as follows:

NOTICE OF PROPOSED VACATION OF PUBLIC STREETS AND DETERMINATION OF STATUTORY VACATION OF RIGHT-OF-WAY FEE

Notice is hereby given, pursuant to Act No. 73-386 of the Alabama Legislature and §23-4-1 of the Code of Alabama (1975), that the City Council of the City of Gulf Shores, Alabama ("the City") proposes to vacate 29,082 square feet of a portion of the unopened Gulf Avenue public right-of-way located between West 19th and West 20th Avenue. A portion of a certain street and public way described as all that part of Block 5, Division 2 of Gulf Pines Unit of Gulf Shores recorded in Map Book 4, Page 71 of Probate Court Records of Baldwin County, Alabama. The legal description and layman's description of the portion of the subject street and public way proposed to be vacated is as follows:

Parcel A:

All that part of Block 5, Division 2 of Gulf Pines Unit of Gulf Shores as recorded in Map Book 4, Page 71, Probate Court Records, Baldwin County, Alabama described as follows: Beginning at the northwest intersection of Alabama Highway 59 (Gulf Shores Parkway) and West 19th Avenue, being on the south line of Block 5, Division 2 of Gulf Pines Unit of Gulf Shores, thence north 89 degrees – 47' – 19" west along the north line of West 19th Avenue 156.72 feet to the southwest corner of Block 5, said point being on the east line of Gulf Avenue (an unopened roadway) and on a curve having a radius of 1828.82 feet; thence northeastwardly along the arc of said curve to the right 294.34 feet to a point on the south line of West 20th Avenue (chord bears: north 14 degrees – 53' – 23" east 294.02 feet); thence north 89 degrees – 49' – 17" east along the south line of West 20th Avenue 100.46 feet to a point of the west line of Alabama Highway 59; thence south 40 degrees -12' – 05" east 44.68 feet; thence southwestwardly and continuing along the west line of Alabama Highway 59 and along the arc of a curve to the right having a radius of 7405.09 feet a distance of 255.50 feet to the point of beginning in Gulf Shores and as recorded in Map Book 4, Page 71 in the Probate Records of Baldwin County, Alabama.

Parcel B:

All that part of Block 5, Division 2 of Gulf Pines Unit of Gulf Shores as recorded in Map Book 4, Page 71 Probate Court Records, Baldwin County, Alabama described as follows: Commencing at the northwest intersection of Alabama Highway 59 (Gulf Shores Parkway) and West 19th Avenue, being on the south line of Block 5, Division 2 of Gulf Pines Unit of Gulf Shores; Thence north 89 degrees – 47' – 19" west along the north line of West 19th Avenue 156.72 feet to the southwest corner of Block 5, and the point of beginning of the property herein described, said point being on the east line of Gulf Avenue (an unopened roadway) and on a curve having a radius of 1828.82 feet; Thence northeastwardly along the arc of said curve to the right 294.34 feet to a point on the south line of West 29th Avenue (chord bears: north 14 degrees – 53' – 23" east 294.02); Thence south 89 degrees – 49' – 17" west 106.61 feet; Thence south 46 degrees – 40' – 47" west 60.44 feet; thence south 00degrees – 34' – 19" east 202.63 feet; thence south 44 degrees – 59' – 19" east a distance of 33.42 feet to the point of beginning.

Pursuant to §23-4-2 of the Code of Alabama (1975) and Act No. 73-386 of the Alabama Legislature, the City Council of the City of Gulf Shores, Alabama shall conduct a public hearing to consider the vacation of the above described portion of said street and public way. Such public hearing shall be held on November 28, 2016 at 4:00 o'clock p.m. in the council chambers of the Gulf Shores City Hall. Such public hearing will be held following (a) the posting of this legal notice in a conspicuous location at the Baldwin County Courthouse in Bay Minette, Alabama and at the

Baldwin County Satellite Courthouses in Foley and Fairhope, Alabama for a period of thirty (30) days; and (b) the publication of this legal notice once a week for four consecutive weeks in *The Islander*, a newspaper of general circulation published in Baldwin County, Alabama which is nearest the streets and public ways which are the subject of the proposed vacation. Any citizen alleging to be affected by the proposed vacation may submit a written objection to the governing body or may request an opportunity to be heard at the public hearing as herein advertised.

Pursuant to § 11-49-6 of the Code of Alabama, the City Council may require abutting landowners who will directly benefit from the vacation being considered to pay to the City a vacation of right-of-way fee equal to the fair market value of the land which will be added to the holdings of such abutting landowners. Such fair market value and the form of payment in connection with the proposed vacation described above shall be determined by the City Council after a public hearing to be held on November 28, 2016 in the council chambers of Gulf Shores City Hall immediately following the public hearing described above.

Further, notification is given that any citizen or interested party may appear before Council on said date and will be given an opportunity to be heard, or may direct written comments to the City Clerk, City Hall, P O Box 299, Gulf Shores, AL 36547, (wparris@gulfshoresal.gov) prior to the meeting.

Wanda Parris, MMC, City Clerk